



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Brian A. Whittle et al. Confirmation No: 5627
Appl. No. : 10/716,506
Filed : November 20, 2003
Title : CHINESE HERBS EXTRACT

TC/A.U. : 1655
Examiner : C. R. TATE

Docket No.: : WHIT3001C2/REF
Customer No: : 23364

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action of April 24, 2006, in connection with the above identified application. The period for response to this Official Action has been extended to expire on June 24, 2006, by the filing herewith of a petition for a one month extension of time and payment of the required fee.

The Official Action is a restriction requirement in which it is urged that there are two separate and distinct inventions claimed in this application. Applicants elect the Group I invention which includes claims 1-16, drawn to various combinations of therapeutic herbal extracts, without traverse. Applicants reserve the right to file one or more divisional applications on the non-elected inventions at a later time.

In addition, Applicants are further required to elect a single disclosed species for search purposes. Applicants elect the specific combination of herbs as defined in claim 8(a). Applicants most respectfully submit that claims 1-16 are readable on the elected invention.

In view of the election of the Group I invention and the single disclosed species, without traverse, an early and favorable action on the merits of claims 1-16, readable

Appl. No. 10/716,506
Amendment dated: June 26, 2006
Reply to OA of: April 24, 2006

on the elected invention is now believed to be in order and is most respectfully requested.

Respectfully submitted,

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